

# SAUK COUNTY ADULT TREATMENT COURT POLICY AND PROCEDURE

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## **INTRODUCTION**

Sauk County Adult Treatment Court was established in January of 2016 as part of a collaborative effort by the Sauk County Criminal Justice Coordinating Council to make a positive impact on the criminal justice system in Sauk County. This program represents the efforts and teamwork of key stakeholders to break the cycle of substance use and reduce crime, making Sauk County a healthier place to live.

Treatment Court provides individuals the opportunity to change their life circumstances and become alcohol and drug free. This is accomplished by comprehensive assessment and treatment for substance use and mental health diagnosis, intensive supervision, random drug and breath testing, regular court appearances and immediate sanctions and incentives in response to behavior. Honesty and individual accountability are at the foundation of the treatment court program.

Sauk County Adult Treatment Court utilizes evidence-based practices in its delivery of services and works in collaboration with community providers for chemical health and ancillary services. Cognitive behavioral programming and enhanced mental health services are inherent pieces of the program.

By providing coordinated substance abuse interventions with judicial oversight, the likelihood of re-arrest for any offense decreases, resulting in safer communities and reduction in crime. Nationally, meta-analysis studies have shown that “75% of treatment court graduates remain arrest free at least two years after leaving programming.” These studies have also shown that “treatment courts significantly reduce crime as much as 45% more than other sentencing options.” [www.nadcp.org](http://www.nadcp.org)

## **MISSION STATEMENT**

The Sauk County Adult Treatment Court works to enhance public safety by reducing recidivism and OWI’s, and improving the individual quality of life in our community. Treatment Court will offer an intensive treatment alternative to individuals whose crimes are linked to drug abuse and dependence, along with strict accountability, supervision, and judicial oversight.

## **GOALS**

1. Reduce criminal recidivism among chemically addicted individuals.
2. Increase the number of individuals who remain alcohol and drug free.
3. Decrease recidivism at six, twelve, and twenty-four months post programming.
4. Increase treatment retention rates among chemically addicted individuals.

## **FOUNDING MEMBERS**

Honorable James Evenson – Judge, Sauk County Circuit Court  
Kevin Calkins – District Attorney, Sauk County District Attorney’s Office  
Deb O’Rourke – Public Defender, Sauk County Public Defender’s Office  
Jerry Strunz – Chief of Police, Sauk Prairie Police Department  
Lewis Lange – Jail Captain, Sauk County Jail  
Kathy Laatsch – Probation Supervisor, Sauk County Probation and Parole  
Amanda Hanson – Probation Agent, Sauk County Probation and Parole  
Dan Brattset –Director, Sauk County Human Services  
Sharon Boesl – Deputy Director, Sauk County Human Services  
Annette Kuhlman – Professor, University of Wisconsin Baraboo  
Janelle Krueger – Criminal Justice Coordinator

## **CURRENT COURT TEAM**

The Sauk County Adult Treatment Court team is a collaborative effort of criminal justice stakeholders. The team is led by the Judge and is responsible for the day-to-day supervision and treatment of participants. The individuals listed below (or their designees) meet once per week prior to court.

Sauk County Circuit Court Judge  
Sauk County District Attorney  
Sauk County Public Defender Representative  
Sauk County Criminal Justice Programs Manager  
Treatment Court Case Coordinators  
Sauk County Probation and Parole Agents  
Sauk County Jail Captain  
Sauk County Police Chiefs’ Association Representative  
Sauk County Drug Task Force Representative  
Sauk County Department of Human Services Representative  
Sauk County Public Health Department Representative

## **MODEL**

The Sauk County Adult Treatment Court is a program designed to provide individuals the opportunity to address their addictions and move beyond criminal behavior. It is a voluntary program, with entrance occurring pre-adjudication and post-adjudication. The program is abstinence based and intensive in nature. Requirements include mandatory chemical dependency treatment, random drug testing, on-going appearances before the judge, case management meetings, and attendance of support groups (AA, NA, CA, Smart Recovery, other). Participants are also required to obtain employment or pursue educational opportunities, participate in pro-social activities, pay restitution and program fees.

Treatment Court is structured to provide a minimum of eighteen months of programming. Evidence-based research is used to support the minimum amount of time spent in each of the five phases. Advancement through phases is based on the accomplishment of goals and program requirements and requires the participant to apply. Participants can expect that advancement through the phases will reduce the amount of supervision while increasing the level of responsibility.

## **TARGET POPULATION**

The target population includes adult residents of Sauk County who have a substance use problem that is linked to their criminal behavior. Using evidence-based risk assessment tools, men and women who are both medium to high risk and need, and have a substance use disorder will be accepted into the Treatment Court.

## **ELIGIBILITY CRITERIA**

All applicants are screened for substance use problems, residency, and offense status. The applicant's race, gender, religious affiliation, creed, color, sexual orientation and/or national origin are not considered when determining eligibility.

Eligibility criteria for all applicants:

- Sauk County resident
- Substance use history and assessed need for treatment
- Determined by an assessment tool to be a medium or high-risk offender
- Voluntary participation in program
- Acceptance into program
- Convicted of a drug offense, a drug-related property offense (such as theft, forgery, or burglary), another offense perpetuated by addiction, or a felony OWI through OWI – 6<sup>th</sup> Offense (other than OWI Causing Great Bodily Harm or Homicide by Intoxicated Use of a Motor Vehicle)
- Placed on probation for a minimum of 24 months after conviction

## **DISPOSITION**

Applicants enter the Treatment Court program after the Court accepts a plea of guilty or no contest, enters a judgment of conviction, and places the participant on probation for a minimum of 24 months.

The applicant should consult with his or her attorney regarding his/her options and the potential sentence if not processed through treatment court.

## DISQUALIFICATION CRITERIA

Convictions for the following crimes disqualify applicants for consideration for treatment court participation:

- Terrorist threats
- Homicide (all levels)
- Crime committed to benefit a gang
- Drive-by shooting
- Felony sexual assault

## REFERRAL, SCREENING, AND ENTRY PROCESS

An adult who has been arrested for a felony OWI through OWI – 6th Offense or a drug-related offense other than those listed above may be referred to treatment court. Potential treatment court participants are generally referred by defense attorneys, district attorneys, probation agents, or law enforcement officers, though anybody can make a referral. The referral form can be found [here](#).

### Process:

**Step 1:** If a defendant is in custody, jail staff will complete a very short initial assessment to determine whether the defendant is eligible to participate in treatment court, and, if eligible, will refer the defendant to the program. If a defendant is not in custody, he or she is referred to the program by other means, such as part of an offer to resolve a case or an alternative to revocation. If a defendant has an attorney, that attorney is notified of the treatment court referral.

**Step 2:** For those applicants who meet the initial criteria, the case coordinator will interview the applicant and administer a full assessment to evaluate risk and need. This intake interview is completed within 20 days of referral or as soon as is practicable. Applicants must be assessed as moderate or high-risk to be eligible for participation.

**Step 3:** The case coordinator will present the applicant's case to the team at a weekly team staffing, outside of the judge's presence. The team will vote to determine whether an applicant is accepted into the program. This will occur within 10 days of the intake interview.

**Step 4:** The applicant and his or her attorney is notified within 10 days of the determination whether he or she was accepted into treatment court. If the applicant is accepted and chooses to participate, he or she will proceed to sentencing. The applicant must be convicted of one or more qualifying charges, and the applicant must be placed on probation for a minimum of two years with participation in treatment court as a condition of probation.

**Step 5:** The participant will meet with the treatment court case coordinator to develop a case plan and complete program orientation. At the orientation, the participant will, among other things, be provided with an overview of the program and expectations, sign releases of information, and be provided a PIN for drug testing. Orientation is completed within seven days of the participant's plea and sentencing hearing.

**Step 6:** The participant signs all treatment court obligations, including weekly court appearances, random drug testing, and working with a treatment team to create and follow through on a treatment plan.

## **CASE MANAGEMENT**

Each participant is assigned a case coordinator and a probation agent who are responsible for case planning, monitoring, accountability, and direct service. Information gathered through the administration of assessment tools includes alcohol and drug use history, psychosocial information, and mental health status.

The foundation of supervision is individualized case management, which means that a comprehensive, individualized case plan is developed with and signed by each client. The case plan is reviewed regularly for necessary changes and modifications. The case plan is based on participant needs as determined by assessment tools.

All participants are required to maintain a primary healthcare provider, be monitored by an addiction management specialist, and comply with treatment recommendations. Participants with a history of opiate use must comply with Medication-Assisted Treatment (MAT).

The case coordinator is expected to facilitate the client's accomplishment of his/her objectives and assist the participant in obtaining the collateral services that he/she needs such as supportive housing, employment skills training, GED classes, child care, transportation, and other needs.

The case coordinator provides information on each participant to the team and attends weekly team staffings. The case coordinator may ask staff from collateral service providers to attend team staffings if necessary to address particular concerns.

The case coordinator will help participants create a transition plan to support the maintenance of sobriety upon graduation, using community resources and ancillary services.

## **DRUG AND ALCOHOL TESTING/MONITORING**

Drug testing is one of the most important components to program integrity. Evidence shows that drug tests must be frequent, random, and credible; accuracy is essential. Participants choosing to enter the Treatment Court must agree to cease the use of all mood-altering chemicals that would render a positive urinalysis, unless used pursuant to a valid prescription, including, but not limited to: narcotics, tranquilizers, sedatives, stimulants, opiates, opiate-based medications, THC, and alcohol.

All participants involved with Treatment Court are informed about drug testing policies and procedures. Staff explains the drug testing procedure to participants upon entry to the program. Participants sign an agreement to comply with the treatment court testing requirements, including direct observation of the sample submission and reporting of results to the treatment court team. The treatment court team determines therapeutic and/or punitive responses for all positive drug tests.

Participants must report for testing with sufficient time to produce a sample. Participants are allowed three attempts to produce a urine sample for testing. If a participant is unable to produce a sample, the case coordinator is notified immediately and the participant must report to his or her case coordinator as directed.

Any participant who misses a random drug test will face sanctions on a case-by-case basis. Any drug test that is too dilute to test is considered a positive drug test, and the participant associated with a dilute drug test is sanctioned for dishonesty.

**ANY PARTICIPANT FOUND TO HAVE MODIFIED OR ATTEMPTED TO MODIFY OR TAMPER WITH A DRUG TEST WILL FACE A SEVERE SANCTION, UP TO AND INCLUDING**

**TERMINATION FROM THE PROGRAM.** Drug test modification and/or tampering includes but is not limited to possession or purchase of synthetic urine, urine in a container (including the participant's own urine), synthetic urine devices such as the Whizzinator, and masking agents.

A Phase 1 participant found to have modified or attempted to modify a drug test will face the following minimum sanction, noting that termination is possible:

- 60 days in jail without Huber
- Re-start Phase 1

A Phase 2 participant found to have modified or attempted to modify a drug test will face the following minimum sanction, noting that termination is possible:

- 90 days in jail without Huber
- Re-start Phase 2

A motion to terminate will be filed immediately if any Phase 3, Phase 4, or Phase 5 participant is found to have modified or attempted to modify a drug test.

Any positive drug test and/or admission of use will be considered a new use and the participant's documented last date of use will be revised accordingly.

Drug testing occurs through a contract vendor who collects and analyzes the sample. This vendor has established testing protocol and provides training to its staff on proper testing procedures. The vendor is a state-licensed clinical toxicology laboratory and specimen collection clinic that uses direct observation collection standards.

Participants are assigned a unique PIN, which is used to randomize the testing days throughout the program. Participants are required to call the testing line daily and report for testing if required. All treatment court participants are given a customized urinalysis that tests for popular substances, substances of choice, prescription medications, and alcohol.

For OWI program participants, random urine testing will be supplemented with alcohol testing and monitoring. OWI participants will wear a SCRAM anklet, which allows for constant alcohol monitoring, for a minimum of 30 days once they enter the program. All other OWI participants will wear a SCRAM anklet at the discretion of the Drug Court Team. OWI program participants will also agree to preliminary breath testing upon request of his or her case manager, probation agent, and law enforcement officers.

If during the course of participation it becomes necessary for a participant to take prescription medication, prior approval must be sought using appropriate medical documentation and a decision is made by the treatment court team using all supporting evidence. The prescribing physician or psychiatrist may be asked to provide medical justification to the team as part of their decision-making process. All medications used by participants must be prescribed to the participant, taken according to the prescription, and be strictly monitored by the treatment court staff team.

## **PHASE OVERVIEW**

The Sauk County Adult Treatment Court program is a five-phase, highly structured program lasting a minimum of 14 months. The length of time will vary depending on a participant's progress; most participants will complete the program in 18 to 24 months.

Each phase consists of specific requirements for transition into the next phase. An application process is

used to ensure consistent and smooth transition from one phase to the next. The treatment court team will review the application and the phase requirements to ensure that each aspect of the phase has been met prior to approving advancement. Participants are required to meet with the team prior to phase advancement.

**Phase One (Acute Stabilization, 60 Days):**

- Court weekly
- GPS and/or SCRAM monitoring for 30 days
- Complete AODA, medical, and mental health assessments
- Engage with recommended treatment
- Comply with supervision, including weekly meetings
- Weekly case management
- Develop case plan
- Random drug tests
- Develop transportation plan
- Stable housing
- Address any required jail time
- Start changing people, places, and things
- Curfew 9:00 pm

**Phase Two (Clinical Stabilization, 90 Days):**

- Court weekly
- Engage with recommended treatment
- Comply with supervision, including weekly meetings
- Weekly case management
- Review case plan
- Random drug tests
- Begin peer recovery groups
- Follow transportation plan
- Maintain stable housing
- Seek/maintain employment or education (if applicable)
- Develop financial plan, including court obligations
- Address any medical needs
- Demonstrate changing people, places, and things
- Curfew 10:00 pm

**Phase Three (Pro-Social Habilitation, 90 Days):**

- Court every two weeks
- Engage with recommended treatment
- Comply with supervision, including meetings every two weeks
- Case management every two weeks
- Review case plan
- Random drug tests
- Maintain peer recovery groups
- Establish recovery network
- Establish pro-social activity
- Follow transportation plan
- Maintain stable housing
- Seek/maintain employment or education (if applicable)
- Review financial plan, including court obligations
- Identify a sponsor\*
- Address any medical needs
- Demonstrate changing people, places, and things
- Curfew 11:00 pm

**Phase Four (Active Habilitation, 90 Days):**

- Court every three weeks
- Engage with recommended treatment
- Comply with supervision, including meetings every three weeks
- Case management every three weeks
- Review case plan
- Random drug tests
- Maintain peer recovery groups
- Maintain recovery network
- Maintain pro-social activity
- Address transportation/driver's license
- Maintain stable housing
- Seek/maintain employment or education (if applicable)
- Address financial plan, including court obligations
- Address any medical needs
- Demonstrate changing people, places, and things
- Weekly contact with sponsor\*
- Curfew 12:00 am (midnight)

**Phase Five (Continuing Care, 90 Days):**

- Court monthly
- Engage with recommended treatment
- Comply with supervision, including monthly meetings
- Monthly case management
- Review case plan
- Random drug tests
- Maintain peer recovery groups
- Maintain recovery network
- Maintain pro-social activity
- Address transportation/driver's license
- Maintain stable housing
- Seek/maintain employment or education (if applicable)
- Address financial plan, including court obligations
- Address any medical needs
- Demonstrate changing people, places, and things
- Participate in the Alumni Group
- Weekly contact with sponsor\*

\* "Sponsor" is defined as a sober, positive peer-support person who is the same sex as the participant and who is familiar with the participant's history of substance use.

In addition to the above phase requirements, participants must also meet the criteria listed below.

To apply for:

Phase Two:

- Minimum 60 days in the program
- Minimum of 14 days consecutive sober time, not including days the participant was incarcerated

Phase Three:

- Minimum 90 days in Phase Two
- Minimum of 30 days consecutive sober time, not including days the participant was incarcerated

Phase Four:

- Minimum 90 days in Phase Three
- Minimum of 45 days consecutive sober time, not including days the participant was incarcerated
- Some payment of court obligations, including treatment court fees, restitution, and court costs

Phase Five:

- Minimum 90 days in Phase Four
- Minimum of 60 days consecutive sober time, not including days the participant was incarcerated
- Some payment of court obligations, including treatment court fees, restitution, and court costs

Graduation:

- Minimum 90 days in Phase Five
- Minimum of 120 days consecutive sober time, not including days the participant was incarcerated
- Continuing care plan completed
- Treatment court fees paid in full

## **INCENTIVES AND SANCTIONS**

Incentives are awarded to participants who demonstrate progress towards meeting case plan goals. Incentives are intended to encourage participants to continue making progress in achieving their goals. Incentives shall be determined on a case-by-case basis and shall be based on the phase and risk-level of the participant. Incentives may include, but are not limited to:

- Fishbowl
- Recognition on the “Star Chart”
- Curfew modification
- Reduced frequency or length of court appearances
- Gift cards
- Gas cards
- Cab vouchers
- Overnight privileges
- Lunch with a team member
- Money off treatment court fees

Sanctions are meant to assist with behavior modification and may vary from low-level therapeutic interventions to high-level intensive responses to violations. Sanctions shall be reviewed on a case-by-case basis; they will be commensurate with the level of violation and determined based in part on consideration of the phase and risk level of the participant. Sanctions will increase with subsequent violations. Sanctions may include, but are not limited to:

- Writing assignments, including thinking reports, letters of apology, and more
- Community service
- House arrest
- Curfew modification
- Increased testing
- Maintaining a daily activity log
- Phase demotion
- Extension of current phase
- Increased meetings with team members
- Meet with the full treatment court team
- Loss of telephone
- Behavior contract
- Increased support meetings
- Termination

### **SPECIFIC SANCTIONS FOR DRIVING-RELATED OFFENSES**

If a participant is cited, whether criminally or as an ordinance violation, for Operating While Revoked, that participant will face a sanction of one day in jail. The participant will have the option of when the sanction will be served within a timeframe determined by the judge.

If a participant is cited for Operating While Intoxicated, Operating With a Prohibited Alcohol Concentration, or Operating With a Restricted Controlled Substance, the participant will be terminated from the program. The terminated participant will be eligible to reapply to participate in the treatment court based on the new offense if the new offense is a qualifying offense.

## TERMINATION

### **Grounds for Termination:**

The staff team may begin termination proceedings against a participant if any of the following apply:

- The participant's conduct threatens public safety, including but not limited to new charges.
- The participant's conduct threatens the integrity of the Sauk County Adult Treatment Court, including but not limited to tampering with or modifying drug tests, not following program rules, lying to the staff team, and being on absconder status with probation.
- The participant is unwilling or unable to engage in treatment to meet reasonable expectations for progression.

### **Termination Procedure:**

If any member of the team believes there are grounds for termination, that team member will inform the team and the team shall vote on whether a Motion to Terminate should be filed. If the team determines that a Motion to Terminate should be filed, a representative of the District Attorney's office shall draft and file a Motion to Terminate, including specific grounds for termination. The Motion to Terminate shall be served on the participant facing termination. **THE JUDGE SHALL BE EXCUSED FROM ALL DISCUSSIONS REGARDING WHETHER GROUNDS FOR TERMINATION EXIST AND WHETHER A MOTION TO TERMINATE SHOULD BE FILED.**

While a Motion to Terminate is pending, the participant is expected to comply with treatment obligations, continue drug and alcohol testing as required by his or her case plan, and comply with any rules imposed by the Department of Corrections, including but not limited to meeting with the assigned agent, monitoring, and other restrictions. Court attendance during this time is at the discretion of the staff team.

The participant is entitled to a hearing on the Motion to Terminate, which shall be scheduled sufficiently in advance to permit the participant to retain counsel. The participant may waive his or her termination hearing at any time, with a judicial finding that the waiver is free, knowing, and voluntary.

Generally the treatment court judge will preside at the termination hearing; however, if the participant makes a timely request for a different judge, a different judge will be assigned to hear the Motion.

At a termination hearing the prosecutor must prove the grounds for termination by a preponderance of the evidence. The judge shall determine whether the staff team has met its burden. The participant has the right to:

- Retain counsel, including a public defender if the participant is eligible. If the right to counsel is waived, the Court shall determine that the waiver is free, knowing and voluntary and that the participant is competent to represent him or herself.
- Written notice of the grounds for termination.
- A review of the Department of Corrections supervision file, pursuant to Open Records regulations and requests.
- Disclosure of evidence against the participant.
- Be present and testify at the hearing.
- Confront and cross-examine witnesses.
- Present witnesses.
- A statement from the judge regarding his or her findings based on the evidence and the reason for granting or denying the Motion to Terminate.

At a termination hearing, the rules of evidence do not apply. Hearsay is admissible. The judge shall consider the reliability of all evidence in reaching a decision.

If a Motion to Terminate is granted, the participant is terminated from program participation immediately. If a Motion to Terminate is denied, the participant will resume full participation in the program, and the participant's case plan may be modified to address concerns. All time spent while a Motion to Terminate is pending does not count towards a participant's minimum number of days required to complete a phase.

## **PROGRAM FEES**

There is a \$720 fee to participate in the Treatment Court program, which must be paid in full before a participant may graduate. Up to 50% of the total fee may be worked off through community service at a government agency or not-for-profit organization at a rate of \$10.00 per hour. Additionally, if a participant pays for and complies with the recommendations of an AODA assessment as required for driver's license reinstatement and successfully completes Treatment Court, the program fee may be reduced by the amount paid for the assessment. No more than 50% of the total program fee may be waived. Community service hours completed as a sanction or phase requirement may not be used against program fees.

## **STAFFING**

Sauk County Adult Treatment Court staffing occurs each week for approximately two hours. The disciplines represented at the staffing table include: Judge, District Attorney, Public Defender, Case Coordinator, Probation Agent, Law Enforcement, and Treatment Specialist.

The treatment court case coordinator prepares brief, written updates on each participant which is provided to and reviewed with the entire team. Input on sanctions, incentives or other program related responsibilities imposed on participants is provided, with decisions arrived at by consensus.

Judicial review sessions are held weekly with participants' attendance linked to their current phase. Judicial review sessions follow all rules of confidentiality and ethical standards to meet each team member's board of review. Select members of the staffing team are present during court, and all members participate in staffing. Sauk County Adult Treatment Court requires strict and specific courtroom compliance with dress and behavior.

## **CONFIDENTIALITY**

Any program that specializes, in whole or in part, in providing treatment counseling, or assessment and referral services for individuals with AOD (Alcohol or Drug) problems must comply with the Federal confidentiality regulations ( 42 C.F.S.2.12(e)). The Federal regulations apply to programs that receive Federal funding.

Two Federal laws and a set of regulations guarantee the strict confidentiality of information about persons receiving alcohol and drug abuse assessment and treatment services. The legal citation for these laws and regulations is 42 U.S. C. SS 290dd-3 and ee-3 and 42 C.F.R. Part 2.

These laws and regulations are designed to protect patients' privacy rights in order to attract people into treatment. The regulations restrict communications more tightly in many instances than, for example, either the doctor-patient or the attorney-client privilege. Violation of the regulations is punishable by a fine of up to \$500 for a first offense or up to \$5,000 for each subsequent offense.

Federal confidentiality laws and regulations protect any information about an individual if the individual has

applied for or received any AOD-related services from a program that is covered under the law. Services applied for or received can include assessment, diagnosis, individual counseling, group counseling, treatment or referral for treatment. The restrictions on disclosure apply to any information that would identify the individual as an alcoholic or other drug abuser, either directly or by implication. The general rule applies from the time the individual makes an appointment. It applies to individuals who are mandated into treatment as well as those who enter treatment voluntarily. It also applies to former clients or patients. The rule applies whether or not the person making an inquiry already has the information, has other ways of getting it, has some form of official status, is authorized by State law, or comes armed with a subpoena or search warrant.

Information that is protected by Federal confidentiality regulations may always be disclosed after the individual has signed a proper consent form. The regulations also permit disclosure without the individual's consent in several situations, including medical emergencies, program evaluations and communications among program staff. Individuals who refuse to sign consent forms permitting essential communications can be excluded from treatment or provided treatment temporarily in the hope that resistance to signing the consent forms will evaporate as treatment proceeds.

## **ROLES AND RESPONSIBILITIES OF KEY TEAM MEMBERS**

### **Judge**

The Judge plays a continuous role in reviewing treatment progress. The Judge responds to each participant's positive efforts and problematic or non-compliant behavior. The Judge presides over the Treatment Court sessions and participates in team staffings. The Judge meets with the Treatment Court Team as needed and is actively involved in determining and imposing appropriate sanctions and incentives.

### **Case Coordinators**

The Case Coordinator's role is to oversee participants' recovery and treatment programs and is the link between the Court, the participant, the treatment provider, and all other adjunct service providers. The Case Coordinator is referred to as the Case Coordinator at different times throughout this manual.

The Court Case Coordinator will attend and participate in all staffings and Treatment Court sessions.

The Treatment Court Case Coordinator is responsible for:

- Assessing potential participants for eligibility in the program
- Monitoring and encouraging participants during their program
- Maintaining participant information
- Providing the Court with current information about client progress
- Recommending programming changes to the Court
- Statistical data collection, management, and analysis

The Treatment Court Case Coordinator also has specific responsibilities in the following areas:

**Treatment Court Team Staffings:** The Treatment Court Case Coordinator is a member of the Treatment Court Team and is responsible for the preparation of cases for review at the team staffings. In addition, the coordinator may, at any time, provide information concerning any participant to the staff team on a formal or informal basis.

**Referrals:** The Treatment Court Case Coordinator refers Treatment Court participants to providers for substance use treatment, mental health treatment, and other services, as determined in the case plan developed by the participant and the coordinator and approved by the Treatment Court Team. The Treatment Court Case Coordinator maintains close contact with all service providers and monitors the

services that are being received by each participant.

**Case Management:** The Treatment Court Case Coordinator will assess the progress of each participant and the participant's adherence to the requirements of the Treatment Court on a regular basis. Quarterly, the coordinator will review the case plan and all other service plans with the participant to review progress and compliance in addition to making necessary recommendations for changes. The Treatment Court Case Coordinator will monitor participant's compliance through drug and alcohol testing and home visits.

**Other Direct Services:** The Treatment Court Case Coordinator will ensure participants are linked with services that are provided in Sauk County on an as-needed basis, including: family counseling, group therapy, cognitive behavioral therapy, community service, parenting, health and wellness planning, and all other activities or services that are available and are reasonably appropriate to maintain a participant in the Treatment Court program.

**Records:** The Treatment Court Case Coordinator will maintain a Treatment Court record for each applicant regardless of their progress in the application process. Confidential treatment court files are kept separate from the participant's legal file, which is accessible under open records laws. All statistical data will be correctly gathered, documented, and analyzed to provide evidence to support the reduction in recidivism.

#### **District Attorney**

The District Attorney will represent the ongoing public safety perspective while also promoting the success of each participant individually. The District Attorney will attend Treatment Court sessions and participate in team staffings. The District Attorney meets with the Treatment Court Team as needed and is actively involved in negotiating appropriate sanctions and incentives.

#### **Public Defender**

The State Public Defender will represent the best interest of the participant within the context of the law, with regard to public safety. The State Public Defender will attend and participate in team staffings. The State Public Defender will meet with the Treatment Court Team as needed and is actively involved in negotiating appropriate sanctions and incentives.

#### **Law Enforcement Representative(s)**

The local Law Enforcement Officer(s) will provide updated information to the team on any participant who is actively involved in the Treatment Court or applying to the Treatment Court. The officer may provide historical data from personal or professional knowledge on participants and all areas of their life as pertinent to Treatment Court. This data can and will be used to evaluate the wide array of needs a participant may have along with environmental obstacles participants may face. The officer may also assist in imposing sanctions and conducting home visits. The officer will attend and participate in team staffings and is actively involved in providing participant and community updates along with negotiating appropriate sanctions and incentives.

#### **Probation & Parole Agent(s)**

The Probation and Parole Agent will provide updated information to the team on each participant actively on supervision. This agent may also assist in imposing sanctions and conducting home visits. The Probation and Parole Agent will attend and participate in team staffings. The Probation and Parole Agent will meet with the Treatment Court Team as needed and is actively involved in providing participant updates and negotiating appropriate sanctions and incentives. The Probation and Parole Agent will work collaboratively with the Case Coordinator to ensure that goals are inclusive and symbiotic.

#### **Treatment Specialist**

The Addiction/Mental Health Treatment Specialist will provide the team with the necessary education on the effects of both addiction and mental health disorders on the participants within the Treatment Court. The

Treatment Specialist will ensure that the epidemiology of addiction and mental health disorders are at the core of all sanction and incentive decisions. The Addiction/Mental Health Treatment Specialist will meet with the Treatment Court Team as needed and is actively involved in providing education to the team along with negotiating sanctions and incentives using the epidemiology of addiction/mental health as a guiding principle. The individual treatment provider will attend and participate in staffings and court whenever possible.

### **Criminal Justice Programs Manager**

The Criminal Justice Coordinator is the Director of Operations. The Criminal Justice Coordinator supervises all employees, programming and is the link between the Treatment Court and the Sauk County Criminal Justice Coordinating Council. The Criminal Justice Coordinator may fill in for the case coordinator in an emergency situation, like illness or short-term absence or during other schedule absences.

## **BEHAVIORAL HEALTH TREATMENT**

Treatment Court uses multiple treatment resources to provide substance abuse services to treatment court participants. They must be Wisconsin-licensed treatment programs with existing contracts between provider and Sauk County Department of Human Services (DHS). The treatment providers are required by contract with DHS to follow all local, state, federal confidentiality laws. They are also required by the treatment court program to provide regular progress reports to the judge and the treatment court case coordinator on each client in their program as well as functional assessment results at discharge.

All clients are matched to the treatment program that appears to be most able to meet their needs, taking insurance into consideration. A comprehensive clinical assessment will identify what type of treatment is appropriate (e.g. inpatient, outpatient, primary and combinations of the two, extended care, halfway house, sober living, detox, etc.). Continuing care and relapse prevention will be a part of any treatment program selected for inclusion in the treatment court program. Treatment will be provided as soon as possible after formal admission into the treatment court program. Our goal is to get the participant into treatment within one week from formal program admittance. If that is not possible, the case coordinator and participant will develop an interim care plan.

The treatment plans for each participant in the treatment program will vary somewhat depending on the needs of the client and the particular model or philosophical foundation of the treatment program. Generally, however, each treatment program participating in the treatment court program will provide on-going group and individual counseling sessions, including family sessions as needed; develop a treatment plan based on an individual assessment of the client's strengths, assets and needs; address the level of severity of the problem in the treatment plan, the level of care needed, and specific situational needs, including language, literacy, housing, medical and psychological; use peer groups and support circles to promote recovery; provide aftercare services, including continued case management, relapse-prevention strategies and counseling; and other supportive services. Clients will attend recovery and/or support groups.

Treatment phases are goal-oriented and not based on time, although approximate duration of phases are estimated. Generally, treatment protocol is based on the least restrictive level of care possible to address the individual's particular problem. Clients may progress from inpatient to outpatient to extended care if necessary. The progression is based on the results of drug tests, compliance with program requirements, severity of the problem and provider, case coordinator, and client agreement.

The length of stay varies based on individual need; the extended-care criteria are used to determine the need for continued care (e.g. clinical assessment of individual's progress through treatment and the prognosis). The frequency and intensity of treatment services depends on the level of care identified in the comprehensive assessment. However, continued participation in a minimum of once monthly aftercare is

required for the duration of the participant's time in the treatment court program.

Treatment providers are required to develop treatment case plans, maintain client records, monitor clients during treatment, and continue to provide case management as the client moves into recovery in the community. The Treatment Court program coordinator is also involved in case planning and supportive services with the counselor and the client during treatment, aftercare and to successful completion of the treatment court program.

Many treatment programs have a cognitive component such as Anger Management and/or Violence Prevention and/or victimization groups (especially domestic violence). Treatment Court can also rely on Community Corrections to provide cognitive behavioral groups, when a client is ready and as available.

Participants of the treatment court are required to apply for medical assistance or health insurance through the market place if the participant is unemployed or ineligible for health insurance through their employer. Maintaining health insurance will be an active piece of case management and a requirement throughout the treatment court.